IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

Crl.Rev.Pet.No. 151 of 1999()

CC.885/1998 of JUDL.MAGISTRATE OF FIRST CLASS, KARUNAGAPPALLY

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REVN. PETITIONER:

C.K.RADHAKRISHNAN CHANGAYIL VEEDU,
PULIYOOR VANCHI VADAKKUM MURI,
THODIYOOR VILLAGE.

BY ADV. SRI.V.N.ACHUTHA KURUP
SRI.B.S.SWATHY KUMAR

RESPONDENTS:

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1. AJITH PRATHAP, S/O.CHANDRASEKHARAN,
INDIRA BHAVANATHIL, MARUTHOORKULANGARA,
THEKKUM MURI, KARUNAGAPPALLY VILLAGE.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.ANIL S.RAJ
PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

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Crl.R.P.No.151 of 1999-A

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Dated this the 14th day of September, 2007

O R D E R

The revision petitioner is the complainant in C.C.No.885/1998 in which the accused stands convicted and sentenced to pay a fine of Rs.5000/- and in default to undergo simple imprisonment for three months for the offence under Section 138 of the Negotiable Instruments Act. The complainant has sought for modification of the sentence imposed as the cheque amount involved is Rs.50,000/-. The court below has not ordered any compensation.

In the circumstances, the sentence imposed by the court below is modified to imprisonment till the rising of the court and to pay compensation of Rs.50,000/- and in default to undergo simple imprisonment for two months. The first respondent/accused is granted six months time to remit the amount of compensation. He shall appear before the Judicial Magistrate of the First Class, Karunagappally, on 14/03/2008 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.151 of 1999-A

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O R D E R

14th September, 2007